

REMARKS/ARGUMENTS

Reconsideration of this application and entry of the foregoing amendments are respectfully requested.

Claims 4 and 5 have been revised to define the invention with additional clarity. Support for the revisions can be found throughout the application, including at page 9, line 13, to page 11, line 10. Claim 22 has been revised so as to be placed in independent form. Claims 6 to 10 have been revised to depend from claim 4 or 5. Claim 3 has been cancelled without prejudice. That the claims have been revised should not be taken as an indication that Applicants agree with any view expressed by the Examiner. Rather, the revisions are made to advance prosecution and Applicants reserve the right to pursue any deleted subject matter in a continuation application.

Claims 3-10 and 22 stand rejected as allegedly representing obviousness-type double patenting over claims 1-9, 14, 15 and 17 of USP 5,776,910 in view of Downey et al. Withdrawal of the rejection is submitted to be in order in view of the above claim revisions and for the reasons that follow.

The claims as presented require an Fc receptor comprising: i) a cytoplasmic domain of Fc γ RIIA modified to include at least 1 additional L-T-L (claim 4) or ii) a γ chain cytoplasmic domain modified to include at least one L-T-L (claim 5).

As the Examiner appreciates, the claims of the cited patent make no mention of an L-T-L sequence, and certainly nothing in the cited patent claims teaches or would have

been suggestive of L-T-L sequences in the environments of the instant claims. The teachings of Downey et al in no way alter this fact.

Reconsideration and withdrawal of the rejection is requested.

Claims 3-10 and 22 stand rejected as representing obviousness-type double patenting over claims 1-6 and 9-11 of USP 6,068,983 in view of Downey et al.

Withdrawal of the rejection is requested in view of the above claim revisions and for the reasons that follow.

The claims as presented require an Fc receptor comprising: i) a cytoplasmic domain of FcγRIIA modified to include at least 1 additional L-T-L (claim 4) or ii) a γ chain cytoplasmic domain modified to include at least one L-T-L (claim 5).

As the Examiner appreciates, the claims of the cited patent make no mention of an L-T-L sequence, and certainly nothing in the cited patent claims teaches or would have been suggestive of L-T-L sequences in the environments of the instant claims. The teachings of Downey et al in no way alter this fact.

Reconsideration and withdrawal of the rejection is requested.

Claims 3-5 and 7-10 stand rejected under 35 USC 102(b) as allegedly being anticipated by Downey et al. Withdrawal of the rejection is requested for the reasons that follow.

As the Examiner notes, Downey et al relates to FcγRIIA. Downey et al neither teaches, nor would it have suggested, modified receptors of the type recited in the claims. Accordingly, reconsideration is requested.

Claims 3-8 and 10 stand rejected under 35 USC 102(b) as allegedly being anticipated by Schreiber et al ('910). Withdrawal of the rejection is submitted to be in order in view of the above-noted claim revisions and comments that follow.

Schreiber et al is silent as regards an L-T-L sequence and in no way teaches, inherently or explicitly, modified receptors of the types recited in the claims as now presented. Accordingly, reconsideration is requested.

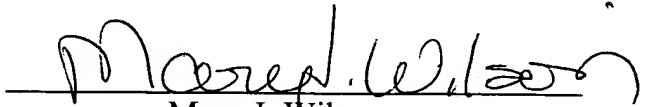
Claims 3-8 and 10 stand rejected under 35 USC 102(e) as allegedly being anticipated by Schreiber et al ('983). Withdrawal of the rejection is submitted to be in order in view of the above-noted claim revisions and comments that follow

As acknowledged by the Examiner, the reference says nothing of L-T-L sequences and cannot be viewed as teaching or as having suggested modified receptors of the type recited in the present claims. Accordingly, reconsideration is requested.

This application is submitted to be in condition for allowance and a Notice to that effect is requested.

Respectfully submitted,

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